

### **REMARKS**

Claims 1, 9, 21, and 25 are amended, claims 5 and 13 are canceled, and no claims are added; as a result, claims 1-4, 7-12, and 15-25 are now pending in this application.

No new matter has been added by the amendments to claims 1, 9, 21, and 25. Claims 1, 9, 21, and 25 have been amended merely to incorporate subject matter previously provided by now canceled claims 5 and 13, claims 5 and 13 having been determined to be allowable as noted below.

#### **Allowable Subject Matter**

Claims 5 and 13 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Independent claims 1, 9, 21, and 25 have been amended to include the allowable subject matter of at least one of claims 5 and 13. Claims 5 and 13 are now canceled. Applicants respectfully submit that independent claims 1, 9, 21, and 25, at least as now amended, are allowable, and so respectfully request reconsideration and allowance of independent claims 1, 9, 21, and 25, and all claims depending from these independent claims.

#### **§103 Rejection of the Claims**

Claims 1-4, 7-12, and 15-25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Aucsmith (U.S. 5,712,800) in view of Marino et al. (U.S. 6,026,165) and further in view of Lotspiech (U.S. 6,609,116).

Claims 3-4 and 11-12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Aucsmith in view of Marino et al. and further in view of Lotspiech (6,609,116) and further in view of Lotspiech (U.S. 6,118,873).

Claims 23 and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Aucsmith in view of Marino et al. and further in view of Lotspiech and further in view of Traw et al. (U.S. 6,542,610).

Applicants respectfully traverse each of these rejections.

As noted above, independent claims 1, 9, 21, and 25 have been amended to include the allowable subject matter of at least one of claims 5 and 13, and so these claims are allowable.

Claims 2-4, 7-8, 10-12, 15-20, 22, and 23-24 depend from one of independent claims 1, 9, 21, and 25, and so include all of the subject matter of the independent claim from which they depend, and more. For at least the reasons stated above with respect to independent claims 1, 9, 21, and 25, claims 2-4, 7-8, 10-12, 15-20, 22, and 23-24 are allowable.

Applicants respectfully request reconsideration and withdrawal of the 35 U.S.C. § 103(a) rejections, and allowance of all claims now pending in the application.

#### Reservation of Rights

In the interest of clarity and brevity, Applicants may not have addressed every assertion made in the Office Action. Applicants' silence regarding any such assertion does not constitute any admission or acquiescence. Applicants reserve all rights not exercised in connection with this response, such as the right to challenge or rebut any tacit or explicit characterization of any reference or of any of the present claims, the right to challenge or rebut any asserted factual or legal basis of any of the rejections, the right to swear behind any cited reference such as provided under 37 C.F.R. § 1.131 or otherwise, or the right to assert co-ownership of any cited reference. Applicants do not admit that any of the cited references or any other references of record are relevant to the present claims, or that they constitute prior art. To the extent that any rejection or assertion is based upon the Examiner's personal knowledge, rather than any objective evidence of record as manifested by a cited prior art reference, Applicants timely object to such reliance on Official Notice, and reserve all rights to request that the Examiner provide a reference or affidavit in support of such assertion, as required by MPEP § 2144.03. Applicants reserve all rights to pursue any cancelled claims in a subsequent patent application claiming the benefit of priority of the present patent application, and to request rejoinder of any withdrawn claim, as required by MPEP § 821.04.

**CONCLUSION**

Applicants respectfully submit that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' attorney at 612-371-2132 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 22<sup>nd</sup> day of January 2008.

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